

**Planning and Zoning Commission Meeting Minutes  
April 26, 2021**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday April 26, 2021, at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

**PLANNING AND ZONING COMMISSION MEMBERS** present were Chairman Chris Hamel and Commissioners Lorraine Arney, Gregory Counts, Barbara Beam and Joshua Scott. Vice-Chairman Fred Dammeyer was absent. There is one vacancy.

**STAFF MEMBERS** present included Scott McCoy, Assistant City Attorney; Alyssa Linville, Assistant Director DCD; Augustin Cruz, Senior Civil Engineer; Jennifer Albers, Principal Planner; Robert Blevins, Principal Planner; Chad Brown, Associate Planner; Amelia Griffin, Associate Planner; Alejandro Marquez, Administrative Assistant and Lizbeth Sanchez, Administrative Assistant.

Chairman Chris Hamel called the meeting to order at 4:30 p.m., and noted there was a quorum present.

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**CONSENT CALENDAR**

**MINUTES** – March 22, 2021

**WITHDRAWALS BY APPLICANT** – None

**CONTINUANCES** –None

**APPROVALS** –

**CUP-33375-2021:** *This is a request by Kurtis Demarse, on behalf of McDonald's Real Estate Company to allow the addition of a secondary drive-through lane at the site of an existing fast food restaurant in the General Commercial/Aesthetic Overlay (B-2/AO) District, for the property located at 1195 E. 16<sup>th</sup> Street, Yuma, AZ. (Continued from April 12, 2021)*

**Motion by Counts, second by Arney, to APPROVE the Consent Calendar as presented. Motion carried unanimously, (5-0) with one absent.**

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**Action Items** –

**CUP-33078-2020:** *This is a request by Wallace Hunter, on behalf of Fury Lane, LLC, for a Conditional Use Permit to allow a drive-through restaurant, in the General Commercial (B-2) District. The property is located at 2820 S. 4<sup>th</sup> Avenue, Yuma, Arizona. (Continued from April 12, 2021)*

**Amelia Griffin, Associate Planner**, summarized the staff report and recommended **APPROVAL**.

**QUESTIONS FOR STAFF**

Hamel asked if two of the parking spaces were blocked would that affect the parking requirement. Griffin replied no.

**APPLICANT / APPLICANT'S REPRESENTATIVE**

**Wallace Hunter, 1609 Magnolia Avenue, Yuma AZ, 85364**, was present and available for questions.

Hamel commended the applicant on using an existing vacant building rather than constructing another a new one.

**PUBLIC COMMENT**

None

**Motion by Arney, Second by Beam, to APPROVE CUP-33078-2020. Motion carried unanimously (5-0) with one absent.**



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**SUBD-33735-2021:** *This is a request by Dahl, Robins & Associates, Inc., on behalf of Yucca Land Company, LLC, for the approval of the preliminary plat for the Desert Sands Subdivision Unit 3, proposed to be divided into 122 lots, ranging in size from approximately 5,078 square feet to 13,338 square feet. The property is located at the southwest corner of E. 45<sup>th</sup> Street and the S. Avenue 8E, Yuma, AZ. (Continued from April 12, 2021)*

Alyssa Linville, Assistant Director DCD, summarized the staff report and recommended **APPROVAL**.

**QUESTIONS FOR STAFF**

Hamel asked what was going to happen to the canal road. Linville deferred the question to the Agent.

**APPLICANT / APPLICANT'S REPRESENTATIVE**

Kevin Dahl, 1560 S. 5<sup>th</sup> Avenue Yuma AZ, 85364, was present and available for questions.

Hamel asked Dahl if the canal road would be developed as a standard road in the proposed subdivision. Dahl replied yes.

**PUBLIC COMMENT**

None

**Motion by Counts, second by Arney to APPROVE SUBD-33735-2021. Motion carried unanimously (5-0) with one absent.**

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**CUP-33939-2021:** *This is a request by Maria A. Velez, on behalf of ZAYD, LLC C/O Realty Executives, for a Conditional Use Permit for an industrial use within 600' of residential in the Heavy Industrial/Infill Overlay (H-I/O) District, on the property located at 1275 W. 9<sup>th</sup> St, Yuma, AZ.*

Chad Brown, Associate Planner, summarized the staff report and recommended **APPROVAL**.

**QUESTIONS FOR STAFF**

None

**APPLICANT / APPLICANT'S REPRESENTATIVE**

Frank Velez, on behalf of Maria Velez, 1275 W. 9<sup>th</sup> St. Yuma AZ, 85364, stated that he was in agreement with the Conditions of Approval but asked for an extension of time to complete the City's requirements.

Kevin Eatherly, 2975 S. Avenue B Yuma AZ, 85364, representing the General Contractor, asked if the City could amend Condition #5 by extending the hours of operation from 8 a.m-6 p.m to 6 a.m- 7 p.m, Condition #6 to allow a fabric type material instead of a solid wall and Condition #11 to extend from 1 year time of completion to 2 years.

Scott McCoy, Assistant City Attorney suggested that Staff and applicant adjourn to the hallway to discuss the Conditions of Approval, and the Commission could proceed to the next case. Hamel agreed and called the next case.

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**SUBD-33593-2021:** *This is a request by Dahl, Robins & Associates, Inc., on behalf of Saguaro Desert Land Company, LLC, for approval of the preliminary plat for the Desert Sky Unit No. 2 Subdivision. This subdivision will contain approximately 18.3 acres, and is proposed to be divided into 102 residential lots, ranging in size from 2,941 square feet to 9,983 square feet. The property is located near the southwest corner of Avenue 7½E and 36<sup>th</sup> Street, Yuma, AZ.*

Alyssa Linville, Assistant Director DCD, summarized the staff report and recommended **APPROVAL**, noting the changes to the Conditions of Approval in Attachment A, as reflected on the Yellow Sheet provided to the Commissioners.

## QUESTIONS FOR STAFF

Hamel expressed concern about a letter that was received from the Arizona Department of Game and Fish (AZDGF), then asked if the letter affected the proposed subdivision. Linville replied that AZDGF is one of the agency's that are notified by Planning when cases are going to be brought before the Commission. It is their opportunity to provide comments on the proposal. Any comments received are then forwarded to the agent. McCoy stated that the letter from AZDGF is only a recommendation of how to proceed with the development of the subdivision, not a requirement.

## APPLICANT / APPLICANT'S REPRESENTATIVE

None

## PUBLIC COMMENT

None

Motion by Beam, second by Arney to APPROVE SUBD-33593-2021 subject to the Conditions of Approval in Attachment A, with the modification to Condition # 8 to now read "*Owner/Developer shall dedicate to the City of Yuma a 1-foot non-access easement along the frontages of Avenue 7½ E, 36<sup>th</sup> St, and along the APS easements, except for approved subdivision entrance locations*", and the removal of Conditions # 10 and # 12. Motion carried unanimously (5-0) with one absent.

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Hamel then returned to case number CUP-33939-2021.

McCoy stated at the request of the Applicant, they would like to continue this case to the May 10, 2021 meeting of the Planning and Zoning Commission.

Motion by Arney, second by Counts to CONTINUE CUP-33939-2021 to the Planning and Zoning Commission Meeting of May 10, 2021. Motion carried unanimously (5-0) with one absent.

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## INFORMATION ITEMS

### Staff

Jennifer Albers, Principal Planner, presented a summary of the General Plan Discussion - Transportation, Public Services and Growth Areas.

### Commission

None

### Public

None

## ADJOURNMENT

Hamel adjourned the meeting at 5:11 p.m.

Minutes approved this 24 day of May, 2021



Chairman